

Notice of Allowability

Application No.

09/991,404

Examiner

Kathleen Mosser

Applicant(s)

OESTERLE, KENNETH C.

Art Unit

3715

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 09/25/2005.
2. ☒ The allowed claim(s) is/are 12.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Kathleen Mosser
Patent Examiner
Art Unit 3715

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Chupa on 10/17/2005.

The application has been amended as follows: Replace claim 12 with the following:

12. (currently amended) A method for learning the orthographic spelling of a word comprising the steps of:

creating a typeable phonetic alphabet pronunciation key comprising:

a plurality of rows and a plurality of columns which cooperatively divide the key into a plurality of cells which are respectively formed by the intersection of said plurality of rows and said plurality of columns wherein each of said cells includes one of a representation letter and a combination of letters which respectively form a bic and wherein said key includes only forty four unique bics and wherein each of said forty four unique bics are used to form and represent only forty four sounds and wherein each of said bics are composed only of Conventional Roman letters which are typically deployed upon a conventional English typewriter, wherein said pronunciation key being further divided into three distinct portions which each respectively include a first set of said bics which only represents vowel sounds, a second set of said bics which only represent vowel plus R sounds, and a third set of said bics which only represents consonant sounds and wherein said first of said, three distinct portions includes only three classifications of said vowel sounds, wherein a first of said classifications only includes a short sound, a second of said classifications only includes a long sound, and a third of said classifications only includes a vowel pair and wherein said second of said three distinct portions is arranged

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in a column and wherein said third of said three distinct portions includes a first unigraph bic portion that only has eighteen bics, a second digraph bic portion that only has five bics, and a third trigraph portion that only has a single bic and wherein said typeable phonetic alphabet pronunciation key includes a listing having a first column of alphabetically arranged words which are each spelled using the typeable phonetic alphabet and a second column of orthographical spelled words which is disposed in close proximity to said first column;

hearing said word;

phonetically spelling said word after hearing said word using the typeable phonetic alphabet pronunciation key;

by alphabetical order, finding said orthographically spelled word, within said listing; and

comparing said found orthographically spelled word with said phonetically spelled word and associating, by memory, said orthographically spelled word with said phonetically spelled word, thereby facilitating learning the orthographic spelling of said word.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: The prior art of record fails to teach the invention as particular claimed. Although other phonetic alphabets and pronunciation keys exist for teaching users the orthographic spelling of words, none use the specific pronunciation key. The pronunciation key as claimed includes bics which are represented by only conventional Roman Letters, unlike other phonetic alphabets which include a variety of "special" characters, such as "~", "˘" and "ˆ". In addition the pronunciation key of the current invention includes only 44 bics which are sub-divided into specific and distinct categories, as recited in the claim. At least these features are not taught or reasonably suggested by the prior art of record.


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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kathleen Mosser whose telephone number is (571) 272-4435. The examiner can normally be reached on M-F 8:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Monica Carter can be reached on (571) 272-4475. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Kathleen Mosser
Patent Examiner
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October 17, 2005